

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

DON WESLEY, §  
§  
Plaintiff, § § Civil Action No. 3:05-CV-2266-D  
VS. §  
§  
YELLOW TRANSPORTATION, INC., §  
C/O THE FRICK CO., §  
§  
Defendant. §

**JUDGMENT**

In memorandum opinions and orders filed on February 4, 2008, May 2, 2008, and December 12, 2008, and in an order filed on January 20, 2009, the court granted summary judgment dismissing some of plaintiff's claims. In an order filed on March 6, 2008, the court denied plaintiff's motion for reconsideration. Thereafter, the parties tried to a jury plaintiff's remaining racially hostile work environment claim under 42 U.S.C. § 1981. On June 23, 2010 the jury returned a verdict in favor of plaintiff.

Accordingly, for the reasons set out in the memorandum opinions and orders filed on February 4, 2008, May 2, 2008, and December 12, 2008, and the orders filed on March 6, 2008 and January 20, 2009, and based on the jury verdict, it is ordered and adjudged that plaintiff recover judgment from defendant in the sum of \$45,000, together with post-judgment interest thereon at the rate of 0.30% per annum.

Plaintiff's taxable costs of court, as calculated by the clerk of court, are assessed 50% against plaintiff and 50% against defendant. Defendant's taxable costs of court, as calculated by the clerk of court, are assessed 50% against plaintiff and 50% against defendant.

All other relief that plaintiff seeks against defendant—except such attorney's fees and expenses as may hereafter be awarded on timely application—is denied.

Done at Dallas, Texas June 24, 2010.

  
SIDNEY A. FITZWATER  
CHIEF JUDGE